

## **Submission to the Statutory Authorities Review Committee Inquiry into the Environment Protection Authority's management of contamination at Clovelly Park and Mitchell Park**

**Opening remarks by Tony Circelli, Chief Executive, EPA, 29 September 2014**

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Thank you for this opportunity to appear before the Committee and the opportunity to provide evidence for you to use, it is greatly appreciated.

I will be brief in my opening statement.

The EPA has prepared a submission to the Committee which provides an overview of site contamination and the EPA's role in the management of contamination in South Australia, including the emphasis the EPA gives to assessing impacts on and communicating with the community.

That submission, and the opening statement that I am making today, is provided on the understanding that the Committee is aware of the information provided for the 2011 Inquiry. The original submission at the time included information relating to the EPA's functions, its governance structure and accountability, as well as an overview of how site contamination is regulated in South Australia. Having said that, we will obviously be happy to respond to any questions Members may have on these issues.

With regard to Clovelly Park, the submission provides an overview of our history with the site, spanning back to 2008. I am aware that we will discuss this issue in some detail during the Hearing today, but I wish to make sure Members have important context when considering this issue.

As I raised in my appearance before you on 8 September, the regulation, assessment and monitoring of site contamination is a relatively new discipline. It is important to acknowledge that even in a short space of time, such as the five years South Australia has had its site contamination legislation in place, assessment processes, standards and triggers have been refined significantly. The manner in which the profession considers and assesses a site is now much better informed by science than it was previously.

What has always been at the core of the EPA's decision-making is the actual potential for real or actual harm for individuals. A precautionary approach has meant that, through careful assessment and with monitoring undertaken at

the site, the EPA has ensured that the needs of the community have been at the core of its decision-making.

As stated in the submission, the data from groundwater and vapour sampling from Clovelly Park that were in the May 2014 draft Vapour Intrusion Risk Assessment report identified a public health risk that led SA Health and the EPA to recommend an overall solution that mitigates that risk. We have outlined how we responded to this scenario in the written submission.

The timeline for communicating to Clovelly park residents was developed in line with public health advice of SA Health, a timeline that considered the chronic risks relating to exposure to TCE vapour. Importantly, this in no way diminishes the importance of the issue at Clovelly and the overall need to act as quickly as possible.

A key challenge faced by regulators in this field is how best to communicate the actual risk being faced by the community. The data indicated that action needed to be taken to reduce exposure to TCE while further site based investigations continued.

It was with such a challenge in mind that the relevant authorities wanted to make sure the residents of Clovelly Park were provided the correct information and in the correct context. Unfortunately, as Mia mentioned, we did not get the opportunity to do so. One of the key learnings from Clovelly Park, consistent with Edwardstown site contamination issue which was the subject of the 2011 inquiry, is that once an issue becomes public discussion, the ability to concentrate on the facts becomes very difficult and while the EPA may obtain some risk to its reputation, the real impact is on the residents.

The confusion and concern that was apparent within the Clovelly Park and Mitchell Park community was the most disappointing outcome from the events of earlier this year. That outcome is playing a central part in our review of processes to lessen the chance of that happening again.

It was pleasing that the Community reference group, established by the EPA, and the one on one communication sessions provided the opportunity to have a direct relationship with the community. From the EPA's perspective it was pleasing that the one-on-one sessions were well received by the local community as they provided attendees the opportunity to field questions in a

more private setting and talk directly to our scientists and public health staff from SA Health.

The community reference group, has played and will continue to play an important role in determining what information was required for the local community and the manner in which that information should be provided.

The issues raised by the Community Reference Group have been important in assisting in the preparation of the ongoing communication program for Clovelly & Mitchell Parks. Furthermore as mentioned at our 8 September Committee Hearing, the establishment of community reference groups will be utilised more often by the EPA in the future to assist the organisation to communicate with local communities particularly when longer periods of time are necessary in assessing and managing site contamination.

I have explained previously that South Australia is recognised as a leader in managing site contamination. It is a deserved reputation developed over a number of years, but as I have also stated previously, we would be naïve to think that there is not more work to do in this discipline. The science that underpins it and the development of the profession more generally.

I would also suggest that there is a need for the greater community to understand that dealing with the legacy issue of site contamination is a fact of modern society. The EPA will continue to engage with key stakeholders and the broader community to encourage better awareness and understanding of these legacy issues. However, like all modern societies, we need to learn to live and deal with site contamination in a considered way. This will require a greater level of maturity in the debate and commentary that we sometimes encounter when dealing with these issues.

I look forward to the outcomes of this Inquiry, which I am confident will assist both the EPA and Government more broadly in determining future improvements, as well as improving the understanding and level of community conversation around site contamination and the management of legacy issues in South Australia.

I am pleased to appear before the Committee today and welcome the opportunity to respond to any questions Members may have.

Thank you.